Remarks/Arguments:

The Claims:

Claims 1 and 4 have been amended. Claim 7 has been amended to remove a substantially repetitive limitation.

It is respectfully submitted that each and every feature recited in the amended claims is fully supported in the specification as filed. No new matter has been added.

Issues under 35 USC 102/103

The Examiner has rejected claims1 - 8 under 35 USC 103 as being unpatentable over Paley et al. (6,457,152, herein "Paley") in view of Bleier, Jr., et al. (6,832,184, herein "Bleier") and TCP/IP Illustrated, Vol. 1, by W. Richard Stevens (herein "Stevens").

Applicants have amended independent claims 1 and 4 with the limitation that requires, in the manner claimed in the combination, the TCP/IP timer to be slowed so that the computing device that generates the ACK packet in response to the RTL-generated SYN packet does not time out and retransmit the ACK packet again. A version of this limitation has been proposed in claim 7, now amended.

The Examiner has, in the Office Action, rejected claim 7 on the grounds that Paley in column 5, lines 20-30 allegedly teaches slowing the TCP/IP timer value in the second computing device to enable the Verilog code to respond to the packet sent by the second computing device before the second computing device times out and retransmits the packet. See paragraph 8 of Office Action dated Feb. 9, 2005 on page 4.

Applicants respectfully traverse. Paley, and in particular the Paley section cited by the Examiner (i.e., column 5, lines 20-30 of Paley), discusses breaking down the command transfer structure in order to handle for the time lag between the request and the response. In particular, "the command structure has been broken down into these two major portions. Each of these commands has an associated acknowledge. So, there are really four types of commands associated with asynchronous type transfers: request, indication, response, confirmation." See Paley column 5, lines 26-30.

Paley's proposed manner of handling the time lag is different from the technique recited in the combination of amended claims 1 and 4. In particular, Paley simply does not disclose or suggest the feature of slowing down the TCP/IP timer in order to prevent the retransmission of the packet by the sending computing device in the manner now claimed. As a further note, Paley is not directed toward TCP/IP, as acknowledged by the Examiner.

Thus, Paley not only fails to disclose or suggest the feature of slowing down the TCP/IP timer to prevent retransmission in the manner claimed, Paley also does not disclose or suggest any modification of the timer, even with respect to the 1394 protocol, in order to prevent the needless retransmission, in the manner claimed, of packets when one of the TCP/IP stack at one end of the communication (i.e., the TCP/IP stack implemented by RTL) is nontrivially slower than the TCP/IP stack implemented at the other end.

For these reasons and others, it is respectfully submitted that amended claims 1 and 4 are novel, nonobvious, and patentable over Paley, Bleier, and Stevens, alone or in combination. Further, other dependent claims herein, in addition to reciting their own independently patentable features, are also novel, nonobvious, and patentable as being dependent from their patentable parent claims.

In view of the foregoing, Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application the undersigned can be reached at (408) 257-5500.

A three-month extension of time is petitioned and the fee is included herewith. If any additional petition, including additional petition of time, is required to facilitate the entry of the present amendment, please consider this communication a petition therefor as well. The Commissioner is hereby authorized to charge any additional fees required to process this Amendment, or credit any over-payments that may apply, to our Deposit Account No. 50-2284 (Order No. ATEC-P003).

Respectfully submitted,
/Joseph A. Nguyen/
Joseph Nguyen
Reg. No. 37,899

August 9, 2005